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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/277,417	03/26/1999	YUSUKE HISADA	13700-0190	3531
23370	7590	02/08/2005	EXAMINER	
JOHN S. PRATT, ESQ KILPATRICK STOCKTON, LLP 1100 PEACHTREE STREET ATLANTA, GA 30309			JACKSON, JENISE E	
			ART UNIT	PAPER NUMBER
			2131	

DATE MAILED: 02/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/277,417	HISADA ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Jenise E Jackson	2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-112 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_ is/are allowed.
- 6) Claim(s) 1-3,13,14,18,21,22,31,40,41,60,61,70,79-81,91-96 and 108-112 is/are rejected.
- 7) Claim(s) 4-12, 15-17, 19-20, 23-30, 32-39, 42-59, 62-69, 71-78, 82-90, and 97-107 is/are objected to.
- 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date: ____ .
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date: ____ .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: ____ .

## **DETAILED ACTION**

### **Final Action**

#### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

2. Claims 1-3, 13-14, 18, 21-22, 31, 40-41, 60-61, 70, 79-81, 91-96, 108-112, are rejected under 112 2<sup>nd</sup> for being rejected as defining new matter. More Specifically, the claims contain, “other information indicating an access right”. This limitation is not disclosed in the specification, and thus is rejected under 112 2<sup>nd</sup>.

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-3, 13-14, 18, 21-22, 31, 40-41, 60-61, 70, 79-81, 91-96, 108-112 are rejected under 35 U.S.C. 102(b) as being anticipated by Aziz et al. and as understood by the Examiner with aide of Merriam-Webster’s Dictionary.
5. As per claims 1, 13, 40, 79, 96, the Examiner asserts that since the Applicant does not provide a definition of personalized access ticket, the Examiner broadly defines a personalized access ticket, as per Merriam-Webster’s Collegiate Dictionary, to be a means of access(see pg. 1232). Therefore, Aziz et al. discloses a personalized access ticket, because the packet of Aziz et

al. provides a means of accessing a computer or hosts(see col. 3, lines 65-67, col. 4, lines 1-4); receiving a personalized access ticket containing a sender's identification (see col. 2, lines 27-35, and a recipient's identification and includes other information(see col. 2, lines 37-35); in correspondence, which is presented by a sender who wishes to send an email to a recipient so as to specify the recipient as an intended destination of the email(see col. 2, lines 27-35, col. 5, lines 48-55), at a secure communication service(i.e. tunneling bridge)(see col. 2, lines 9-18) for connecting communications between the sender and the receiver(see col. 2, lines 9-18, col. 6, lines 33-40; and controlling accesses between the sender and the recipient by verifying an access right of the sender with respect to the recipient according to the personalized access ticket at the secure communication service(see col. 7, lines 55-65, col. 8, lines 4-13).

6. As per claims 2, 41, 80, Aziz et al. discloses wherein at the controlling step the secure communication service(i.e. tunneling bridge) authenticates the personalized access ticket presented by the sender, and refuses a delivery of the email when the personalized access ticket presented by the sender has been altered(see col. 2, lines 10-18, col. 3, lines 65-67, col. 4, lines 1-20, col. 5, lines 48-61). The Examiner asserts that because Aziz discloses that the packet is encrypted with a key, the Examiner asserts that the packet(i.e. ticket) would be determined to be altered because the keys has a corresponding key pair, and the key is encapsulated in the header.

7. As per claims 3, 81, 91, 108 Aziz et al. discloses wherein the personalized access ticket is signed by a secret key of a secure processing device(i.e. tunneling bridge) which issued the personalized access ticket, and at the controlling step the secure communication service authenticates the personalized access ticket by verifying a signature of the secure processing

device in the personalized access ticket using a public key of the secure processing device(see col. 5, lines 48-61, col. 6, lines 12-32, col. 9, lines 59-67, col. 10, lines 1-16) .

8. As per claims 14, 18, 93, 110, Aziz et al. discloses wherein the sender's identification and the recipient's identification in the personalized access ticket are given by anonymous identifications of the sender and the recipient, where an anonymous identification of each user contains at least one fragment of an official identification of each user by which each user is uniquely identifiable by a certification authority (see col. 2, lines 9-35, col. 15, lines 27-29).

9. As per claim 31, Aziz et al. discloses defining an official identification of each user by which each user is uniquely identifiable by a certification authority, and an anonymous identification of each user containing at least one fragment of the official identification; and identifying each user by the anonymous identification of each user in communications for emails on a communication network(see col. 3, lines 65-67, col. 4, lines 1-4, col. 15, lines 27-39).

10. As per claims 70, 93, Aziz et al. discloses a certification authority device for defining an official identification of each user by which each user is uniquely identifiable by the certification authority device, and an anonymous identification of each user which contains at least one fragment of the official identification; and a communication network on which each user is identified by the anonymous identification of each user in communications for emails on the communication network(see col. 2, lines 9-35, col. 5, lines 16-61, col. 15, lines 27-39) .

11. As per claim 91, Aziz et al. discloses a secure processing device for use in a communication system realizing email access control, comprising: a computer hardware; and a computer software for causing the computer hardware to receive a request for a personalized access ticket from a user, and issue a personalized access ticket containing a sender's

identification and a recipient's identification in correspondence, which is signed by a secret key of the secure processing device(see col. 4, lines 10-20, col. 5, lines 48-61, col. 9, lines 59-67, col. 10, 1-15) .

12. As per claim 94, Aziz et al. discloses certification authority device for use in a communication system realizing email access control, a computer hardware; and a computer software for causing the computer hardware to issue to each user an identification of each user and an enabler of the identification of each user indicating a right to change any personalized access ticket that contains the identification of each user as a holder identification, where the personalized access ticket generally contains a sender's identification and a plurality of recipient's identifications in correspondence, and one of the sender's identification and the recipient's identifications is a holder identification(see col. 2, lines 9-18, col. 15, lines 27-39) .

13. As per claim 95, Aziz et al. discloses a secure processing device for use in a communication system realizing email access control, comprising: a computer hardware; and a computer software for causing the computer hardware to receive from a user a request for prescribed processing on a personalized access ticket containing a sender's identification and a plurality of recipient's identifications in correspondence, where one of the sender's identification and the recipient's identifications is a holder identification, and execute the prescribed processing on the personalized access ticket when the user presented both the holder identification contained in the personalized access ticket and an enabler corresponding to the holder identification which indicates a right to change the personalized access ticket containing the identification of the user as the holder identification(see col. 2, lines 9-24, col. 3, lines 65-67, col. 4, lines 1-20).

14. As per claims 92, 109, Aziz et al. discloses a computer usable medium having computer readable program code means embodied therein for causing a computer to function as a directory service device for use in a communication system realizing email access control, the computer readable program code means includes: first computer readable program code means for causing said computer to manage an identification of each registrant and a disclosed information of each registrant which has a lower secrecy than a personal information, in a state which is accessible for search by unspecified many, and second computer readable program code means for causing said computer to issue a personalized access ticket containing a sender's identification and a recipient's identification in correspondence, to the sender in response to search conditions specified by the sender, by using an identification of a registrant whose disclosed information matches the search conditions as the recipient's identification and the sender's identification specified by the sender along with the search conditions(see col. 2, lines 9-35, col. 4, lines 65-67, col. 4, lines 1-20, col. 13, lines 41-56).

15. As per claim 111, Aziz et al. discloses a computer usable medium having computer readable program code means embodied therein for causing a computer to function as a certification authority device for use in a communication system realizing email access control, the computer readable program code means includes: first computer readable program code means for causing said computer to issue to each user an identification of each user; and second computer readable program code means for causing said computer to issue to each user an enabler of the identification of each user indicating a right to change any personalized access ticket that contains the identification of each user as a holder identification, where the personalized access ticket generally contains a sender's identification and a plurality of

recipient's identifications in correspondence, and one of the sender's identification and the recipient's identifications is a holder identification(see col. 2, lines 9-24, col. 4, lines 9-20, col. 15, lines 27-39).

16. As per claim 112, Aziz et al. discloses a computer usable medium having computer readable program code means embodied therein for causing a computer to function as a secure processing device for use in a communication system realizing email access control, the computer readable program code means includes: first computer readable program code means for causing said computer to receive from a user a request for prescribed processing on a personalized access ticket containing a sender's identification and a plurality of recipient's identifications in correspondence, where one of the sender's identification and the recipient's identifications is a holder identification; and second computer readable program code means for causing said computer to execute the prescribed processing on the personalized access ticket when the user presented both the holder identification contained in the personalized access ticket and an enabler corresponding to the holder identification which indicates a right to change the personalized access ticket containing the identification of the user as the holder identification(see col. 2, lines 9-24, col. 5, lines 48-61, col. 6, lines 1-35).

***Claim Rejections - 35 USC § 103***

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill

in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

18. Claims 21-22, 60-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over single reference Aziz as applied to claims 1 and 40 respectively.

19. As per claims 21, 22, 60-61, Aziz et al. discloses wherein the personalized access ticket contains a single sender's identification and a single recipient's identification in 1-to-1 correspondence(see fig. 12, sheet 7, see col. 3, lines 65-67, col. 4, lines 1-4). The Examiner asserts that it would have been obvious to have one sender that could send to many recipient's packets, the motivation is that it allows the sender to communicate with than one recipient.

20. Claims 4-12, 15-17, 19-20, 23-30, 32-39, 42-59, 62-69, 71-78, 82-89, 90, 97-98, 99-107 are objected to as being dependent from rejected base claims. The prior art that Examiner searched certificates, tokens, kerberos, e-mail communications, anonymous communications, transmitting packets, failed to disclosed the above dependent limitations.

*Response to Amendment*

21. The Applicant states that Aziz does not disclose a personalized access ticket includes other information indicating an access right, such that the secure communication service can verify the access right of the sender with respect to the recipient, according to the personalized access ticket, for the purpose of controlling the accesses between the sender and the recipient. The Examiner disagrees with the Applicant. Aziz discloses a packet that provides a means of accessing a computer or hosts(see col. 3, lines 65-67, col. 4, lines 1-4). The other information of Aziz is the identifier that is included when the packet is encapsulated, the identifier identifies the source of the tunneling bridge(see col. 2, lines 36-45, col. 6, lines 33-40).

22. The Applicant states that Aziz does not disclose controlling email access according to the anonymous identification of each user on a communication network, and that the communication system includes an access control for controlling email access according to the anonymous identification of each user on the communication network. The Examiner disagrees with the Applicant. Aziz discloses that the host identities are concealed(see col. 2, lines 32-34).

*Final Action*

23. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Conclusion***

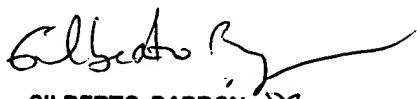
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jenise E Jackson whose telephone number is (571) 272-3791. The examiner can normally be reached on M-Th (6:00 a.m. - 3:30 p.m.) alternate Friday's.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



February 3, 2005



GILBERTO BARRON  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100